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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,610	09/27/2001	Gregory Robert Roelofs	US018149	4781

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EXAMINER

DINH, DUC Q

ART UNIT	PAPER NUMBER
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2674

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DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,610

Applicant(s)

ROELOFS, GREGORY ROBERT

Examiner

DUC Q DINH

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-12 and 17-24 is/are rejected.
- 7) ☒ Claim(s) 13-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-7, 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady (U. S. Patent No. 4,140,997) Knoerzer et al. (U. S. Patent No. 6,637,906), hereinafter Knoerzer.

In reference to claims 1-4, 9, 11 and 12, Brady discloses an electronic visual display systems which operate on an input signal (audio input signal) to provide visual outputs having patterns, colors and motions which may be varied in accordance with a predetermined scheme . The amplitude, tempo and frequency content of the input signals are used in a variety of logical selection functions to control the color, pattern and motion of lights in a visual display matrix having three dimensional properties in a manner influenced by the contents of programmed memory components. The memory component programming is sufficiently flexible to provide a variety of visual effects from the systems (control processing unit) and display device 19 (Fig. 1) or 33-35 (Fig. 2) for displaying the visual pattern (see Fig. 1-2 and associated text). Brady does not disclose that the display device including a generally planar light emitting layer and wherein the display device conforms to a surface of the outer surface of the device. However, Brady suggests that other kinds of display can be used for the display device as desired (col. 7, lines 29-

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39). Knoerzer discloses a flexible electroluminescent display device including a generally planar light emitting layer and conforms to a surface shape of an outer surface of an object in Fig. 1-2 as claimed.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to substitute Bradley's display device with Knoerzer's flexible display device for providing a flexible display can be used in any product required illuminate thin film or illuminated images on thin film (see col. 1, lines 16-19 and col. 2, line 45-col. 3, line 24) specifically in this case, the display can be used in different audio or video devices for displaying visual sound effect patterns.

In reference to claim 6, Brady discloses a switch 125 is provided to select the divider output of the display clock divider 123 to provide a clock input to a display program counter 127 via the switch 125. When the switch 125 is in any of the positions except position A shown in FIG. 4b, the output of display clock divider is sampled under manual control. When switch 125 is in position A the clock rate is placed under program control of the contents of a divider clock memory 129 whose function will be discussed in more detail subsequently.

In reference to claim 7, Brady discloses the programmable frequency content selection logic in Fig. 1.

In reference to claims 17-24, see Fig. 3 of Knoerzer.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady, Knoerzer in view of Lebby et al. (U. S. Patent No. 5,534,888).

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In reference to claim 5, Brady and Knoerzer do not disclose the display device displays the visual pattern using transistors. Leiby discloses an electronic book are made by suitable technology, such as, but not limited to, liquid crystal display technology, vacuum field emission device technology, **electro-luminescent technology**, plasma liquid crystal technology, **light emitting diode technology**, and the like.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to learn the teaching of Weiner, i.e.: using crystal display, in the system of Brady and Weiner for providing flexible display device for the system.

Allowable Subject Matter

4. Claims 13- 16 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: none of the cited prior arts teaches or suggests “said display device conforms to a three dimensional surface of an outer surface of the object and is disposed in a thin film layer”.

Response to Arguments

6. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Form PTO 892.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action. .

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **DUC Q DINH** whose telephone number is **(703) 306-5412**. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231


Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive,
Arlington, Va Sixth Floor (Receptionist)

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 305-4700.

DUC Q DINH
Examiner
Art Unit 2674


REGINA LIANG
PRIMARY EXAMINER

May 12, 2004

DQD